



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

NOTICE OF ACTION TAKEN

DOCKET OST 96-1209

This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.

Applicant: AIR NOVA, INC.

Date Filed: March 29, 1997

Relief requested: Exemptions from 49 U.S.C. section 41301 to permit Air Nova to engage in: (1) scheduled service carrying persons, property and mail between any point or points in Canada and any point or points in the United States; and (2) charter operations carrying persons, property and mail between any point or points in Canada and any point or points in the United States. Statement of Authorization under 14 CFR Part 212 to permit Air Nova to hold out Air Canada's designator code on any scheduled flights operated by Air Nova between Canada and the United States, under the two carriers' code-share/blocked-space arrangement. The applicant requested that the authorities be granted for a period of two years.

If renewal, date and citation of last action: Order 95-4-30, April 19, 1995.

Applicant representative: Anita Mosner 202-342-5200

Responsive pleadings: None

DISPOSITION

Action: Approved.

Action date: December 5, 1997

Effective dates of authority granted: December 5, 1997-December 5, 1999

Basis for approval (bilateral agreement/reciprocity): U.S.-Canada Air Transport Agreement

 X Standard exemption conditions (attached)

Special conditions/Partial grant/Denial basis/Remarks: In addition to the standard exemption conditions (attached), the authorities granted here are subject to the terms, limitations and conditions of the U.S.-Canada Air Transport Agreement. Operations to be conducted under the code-share/blocked-space arrangement must be sold in the name of the carrier holding out the service in computer reservation systems and elsewhere; the carrier selling such transportation must accept all obligations established in its contract of carriage with the passenger (i.e., the ticket). Further, Air Nova and Air Canada must comply with the rules for airline designator code-sharing set forth in 14 CFR 399.88.

Action taken by:

Paul L. Gretch, Director
Office of International Aviation
under assigned authority (14 CFR 385)

(Petitions for review may be filed from now until 10 days after the service date of the confirming order/letter. Filing of a petition shall not stay the effectiveness of this action.)